

REMARKS

Reconsideration and allowance of the captioned application in view of the foregoing amendments and the remarks that follow is respectfully requested. These amendments and remarks are intended to advance the case to issue without delay. The claims in the application were 2-23. By this amendment, claims 4 and 11 have been deleted. Accordingly, the claims now in the application are claims 2, 3, 5-10 and 12-23.

Support for amended claim 2 may be found on page 8, lines 19-23 and page 20, lines 20-21. Support for amended claims 3, 12-14, and 23 may be found in original claim 9. Support for amended claim 9 may be found on page 12, lines 4-23.

Claims 2-4, 7, 9, 10, 12-14, 18-20, 22, and 23 were rejected under 35 USC §102(b) as being anticipated by Vu et al. Based upon the rejection, applicant understands this rejection to be based upon the Vu et al. U.S. Patent No. 5,725,846 as two Vu et al. references have been cited in the attached Form 1449. This rejection is respectfully traversed.

Vu et al. relates to clear gel stick compositions. Stick products are known in the art as being relatively hard in order to maintain their structure as a stick. This is recognised in Vu et al. at column 3, lines 6-7 where it is stated that "[i]f the gel stick includes too little of the dibenzlidene alditol it may lack sufficient hardness." The present invention as amended is directed to liquid or soft solid compositions as opposed to stick compositions. Vu et al. is not concerned with this type of composition as it is concerned with gel stick compositions that are clear.

Additionally, the claims of the present invention have been further restricted to iron (III) chelators that are micro-molar active. Vu et al. does not disclose the use of these selected iron (III) chelators in compositions that are liquids or soft solids.

Accordingly, the claims of the present invention are not anticipated by Vu et al. and the withdrawal of this rejection under 35 USC §102(b) is respectfully requested.

Claims 5, 6, 8, 11, 15, 17, and 21 were rejected under 35 USC §103(a) as being unpatentable over Vu et al. As stated above, based upon the rejection, applicant has understood this rejection to be based upon the Vu et al. U.S. Patent No. 5,725,846 as two Vu et al. references have been cited in the attached Form 1449. This rejection is respectfully traversed.

As stated above, the claims of the present invention as amended have been restricted to iron (III) chelators that are micro-molar active. Applicant has surprisingly and unexpectedly found that the incorporation of the selected iron (III) chelators provides enhanced anti-microbial performance in the claimed product. This benefit could not have been predicted from Vu et al., where chelating agents in general were used in a different form of product (gel sticks) to attain a different benefit (color and clarity) (see Vu et al., column 5, lines 8-30).

Accordingly, the claims of the present invention are unobvious over the art of record and withdrawal of this rejection is respectfully requested.

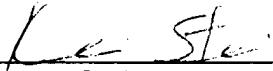
Applicant acknowledges the objection of claim 16 and that it would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. However, in view of the above amendments and remarks traversing the rejections under 35 USC §102(b) and 103(a), applicant has not rewritten claim 16.

In light of the above remarks, it is respectfully requested that the application be allowed to issue.

If a telephone conversation would be of assistance in advancing the prosecution of the present application, applicants' undersigned attorney invites the Examiner to telephone at the number provided.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attachment is captioned "Version with Markings to Show Changes Made".

Respectfully submitted,



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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the claims:

Claims 2-5, 9, 10, 12-14 and 23 have been amended as follows:

2. (Twice Amended) ~~An anti-microbial product comprising an antiperspirant active and an amount of transition metal chelator sufficient to enhance the deodorancy performance of said antiperspirant active wherein said product excludes antiperspirant gel stick compositions gelled by a gelling agent selected from the group consisting of 12-hydroxystearic acid, esters of 12-hydroxystearic acid, amides of 12-hydroxystearic acid, N-lauroyl glutamic acid dibutyl amide, and 2-dodecyl N,N'-dibutyl succinamide.~~ A liquid or soft solid anti-microbial composition comprising an antiperspirant active and an iron (III) chelator, wherein the iron (III) chelator is a micro-molar active anti-microbial agent.
3. (Twice Amended) An anti-microbial product according to claim 2, characterised in that the antiperspirant active and the ~~transition metal~~ iron (III) chelator are both present in the same composition.
5. (Amended) An anti-microbial product according to claim-4 2, having a hardness such that the pressure required to penetrate the composition is less than 0.06 N.mm^{-2} .
9. (Three Times Amended) ~~An anti-microbial product according to claim 2, wherein the transition metal chelator is an iron (III) chelator.~~ An anti-microbial composition according to claim 3, wherein the antiperspirant active is an aluminium halohydrate.
10. Amended) An anti-microbial product according to claim-9 2, wherein the iron (III) chelator has a binding coefficient for iron (III) or greater than 10^{26} .

12. (Three Times Amended) An anti-microbial product according to claim 2, wherein the ~~transition metal~~ iron (III) chelator has an acid form comprising at least five acid groups.
13. (Three Times Amended) An anti-microbial product according to claim 2, wherein the ~~transition metal~~ iron (III) chelator is a polyaminocarboxylic acid or salt thereof.
14. (Twice Amended) An anti-microbial product according to claim 13, wherein the ~~transition metal~~ iron (III) chelator has the acid form diethylenetriaminepentaacetic acid triethylenetetraaminehexaacetic acid, or ethylenebis {2-(2-hydroxyphenyl) glycine}.
23. (Amended) An anti-microbial product according to claim 14, wherein the ~~transition metal~~ iron (III) chelator is diethylenetriaminepentaacetic acid or a salt thereof.

Claims 4 and 11 have been cancelled.